

Notice of Allowability

Application No.

10/757,019

Examiner

Shaima Q. Aminzay

Applicant(s)

NGUY ET AL.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to May 31, 2007.
2. ☒ The allowed claim(s) is/are 28-31, 34-42 and 44-54.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 31, 2007 has been entered.

Examiner 's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ketan S. Vakil , Reg. No. 43,215 (Tel. 714,427,7405) on July 10, 2007. The applicant representative, Ketan S. Vakil agreed to the following changes without prejudice.

In the independent claims:

The independent claim 28 has been replace with --- A half-duplex

communication device identified by an initiator identification code comprising: a control device to receive a first identification code and a second identification code stored in a memory, transmit the initiator identification code, the first identification code and the second identification code directly and without using an intermediate network to a plurality of transceivers, each transceiver identified by a unique transceiver identification code, receive first acknowledgment information from a first of the plurality of transceivers in response to the first transceiver determining that the first identification code matches the first transceiver's unique transceiver identification code, and receive second acknowledgement information from a second transceiver of the plurality of transceivers in response to the second transceiver determining that the second identification code matches the second transceiver's unique transceiver identification code. wherein the first acknowledgement information include the first identification code and the second acknowledgement information includes the second identification code. ---.

The independent claim 46 has been replace with --- A system to provide half-duplex communication comprising: an initiator transceiver having an initiator identification code and configured to receive a first transceiver identification code and a second transceiver identification code stored in a memory, automatically scan a plurality of channels for an available primary channel and an available secondary channel and transmit, using the available primary channel or the available secondary channel, the initiator identification code, the first transceiver

identification code and the second transceiver identification code; a first recipient transceiver having a first recipient identification code and configured to receive the initiator identification code, the first transceiver identification code and the second transceiver identification code and automatically transmit, using one of the available primary or the secondary channels, the first recipient identification code to the initiator transceiver if when the first transceiver identification code matches the first recipient identification code; and a second recipient transceiver having a second recipient identification code and configured to receive the initiator identification code, the first transceiver identification code and the second transceiver identification code and automatically transmit, using one of the available primary or the secondary channels, the second recipient identification code to the initiator transceiver when the second transceiver identification code matches the second recipient identification code ---.

Response to Arguments

Applicant's arguments filed May 13, 2007 have been fully considered.

2. Response to arguments with respect to rejected claims 28-42, and 44-54 is moot, as the amendment to independent claims 28, 40, and 46 overcome the rejections and puts the application in condition for allowance, therefor, the rejection(s) 35 U.S.C. 103(a) with respect to claims 28-42, and 44-54 withdrawn.

Allowable Subject Matter

3. Claims 28-42, and 44-54 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reason for allowance:

The prior art specifically Smethers (Smethers, U.S. Patent No. 6,463,304) and Bridle (Bridle et al., U.S. Patent No. 6,163,680) failed to render obviousness in combination or individually, and failed to anticipate individually the following underlined limitations:

"A half-duplex communication device identified by an initiator identification code comprising: a control device to receive a first identification code and a second identification code stored in a memory, transmit the initiator identification code, the first identification code and the second identification code directly and without using an intermediate network to a plurality of transceivers, each transceiver identified by a unique transceiver identification code, receive first acknowledgment information from a first of the plurality of transceivers in response to the first transceiver determining that the first identification code

matches the first transceiver's unique transceiver identification code, and receive second acknowledgement information from a second transceiver of the plurality of transceivers in response to the second transceiver determining that the second identification code matches the second transceiver's unique transceiver identification code. wherein the first acknowledgement information include the first identification code and the second acknowledgement information includes the second identification code" as disclosed in independent claim 28.

"A communication device identified by an initiator identification code comprising: a processor to receive a first identification code corresponding to a first transceiver and a second identification code corresponding to a second transceiver, automatically scan a plurality of channels for the presence of any communication or any interference to thereby identify available channels, create an available channel table, select, from the available channel table, an available primary channel and an available secondary channel not used for telephone communication, transmit via at least one of the available primary channel or the available secondary channel the initiator identification code, the first identification code and the second identification code to a plurality of transceivers including the first transceiver and the second transceiver, each transceiver having a unique transceiver identification code, and receive, from the first transceiver, a first acknowledgement information via at least one of the available primary channel or the available secondary channel in response to the first transceiver determining

the first identification code matches its unique transceiver identification code, and receive, from the second transceiver, a second acknowledgement information via at least one of the available primary channel or the available secondary channel in response to the second transceiver determining the second identification code matches its unique transceiver identification code, wherein the first acknowledgement information includes the first identification code and the second acknowledgement information includes the second identification code" as disclosed in independent claim 40.

"A system to provide half-duplex communication comprising: an initiator transceiver having an initiator identification code and configured to receive a first transceiver identification code and a second transceiver identification code stored in a memory, automatically scan a plurality of channels for an available primary channel and an available secondary channel and transmit, using the available primary channel or the available secondary channel, the initiator identification code, the first transceiver identification code and the second transceiver identification code; a first recipient transceiver having a first recipient identification code and configured to receive the initiator identification code, the first transceiver identification code and the second transceiver identification code and automatically transmit, using one of the available primary or the secondary channels, the first recipient identification code to the initiator transceiver if when the first transceiver identification code matches the first recipient identification

code; and a second recipient transceiver having a second recipient identification code and configured to receive the initiator identification code, the first transceiver identification code and the second transceiver identification code and automatically transmit, using one of the available primary or the secondary channels, the second recipient identification code to the initiator transceiver when the second transceiver identification code matches the second recipient identification code" as disclosed in independent claim 46

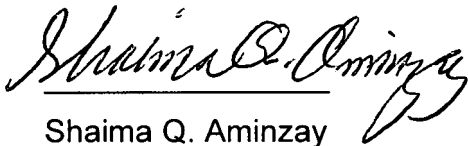
For these reasons, independent claims 28, 40 and 46 are allowed. Claims 29-39, 41-42, 44-45, and 47-54 are depended of independent claims 28, 40 and 46 are allowed for the same reasons set forth in claims 28, 40 and 46.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew D. Anderson can be reached on 571-272-4177. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay
(Examiner)

July 15, 2007



Matthew D. Anderson
Supervisory Patent Examiner